



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority held a Special Board Meeting on May 5, 2021 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Patricia Bailey
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Glenn Banfield
BOARD MEMBER, ALTERNATE #1	William K. Cheatham
BOARD MEMBER, ALTERNATE #2	Mohammed Dedar

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that this Resolution hereby approves the transcript minutes reported by Elisa Ciboldi, Certified Court Reporter for the May 5, 2021 Board Meeting.

WHEREAS, the Atlantic City Municipal Utilities Authority held their regularly scheduled Board Meeting on May 19, 2021 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Patricia Bailey
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Glenn Banfield
BOARD MEMBER, ALTERNATE #1	William K. Cheatham
BOARD MEMBER, ALTERNATE #2	Mohammed Dedar

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that this Resolution hereby approves the transcript minutes reported by Karen A. Haworth, Certified Court Reporter for the May 19, 2021 Board Meeting.

WHEREAS, the Atlantic City Municipal Utilities Authority held a Special Board Meeting on June 1, 2021 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Patricia Bailey
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Glenn Banfield
BOARD MEMBER, ALTERNATE #1	William K. Cheatham (absent)
BOARD MEMBER, ALTERNATE #2	Mohammed Dedar (absent)

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that this Resolution hereby approves the transcript minutes reported by Karen A. Haworth, Certified Court Reporter for the June 1, 2021 Board Meeting.



Agenda No: Board Minutes
Resolution No: 78
Date: June 16, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

Upon Motion, This Resolution was APPROVED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

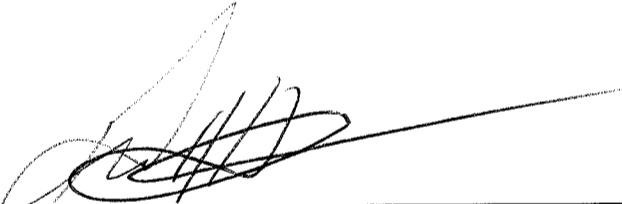
RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that a Request for Proposals (RFP) Form and the Specifications and Instructions to Bidders this day submitted by the Executive Director of the MUA for INSTALLATION OF PREPURCHASED EQUIPMENT AND MINOR PIPING MODIFICATIONS AND ELECTRICAL UPGRADES for the MUA, be and the said documents are hereby APPROVED and ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Authority Executive Director to advertise for Request for Proposals (RFP) in the form of Advertisement for the undertaking hereinabove set forth, the said Request for Proposals (RFP) to be received and opened by authorized Personnel of the Atlantic City Municipal Utilities Authority on TUESDAY, JULY 13, 2021 at 11:00AM.

Upon Motion, This Resolution was APPROVED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

RESOLUTION OF THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY REGARDING THE PRIVATE SALE OF NOT TO EXCEED \$5,000,000 WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2021

WHEREAS, The Atlantic City Municipal Utilities Authority (the "Authority") is a public body, duly formed under the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, as amended and supplemented (N.J.S.A. 40:14B-1 et seq.) and possesses the powers set forth therein;

WHEREAS, the Authority desires to refund its outstanding Water System Revenue Refunding Bonds, Series 2007 dated May 17, 2007 and maturing on June 1, 2022 through June 1, 2029 in the aggregate principal amount of \$4,535,000 (the "Refunded Bonds") in order to realize a net present value savings of at least 3% for the Authority.

WHEREAS, the Authority adopted Bond Resolution No. 61 on May 19, 2021 authorizing the issuance of refunding bonds in an aggregate principal amount not to exceed \$5,000,000 (the "Refunding Bonds");

WHEREAS, the proceeds of the Refunding Bonds will be used to defease the Refunded Bonds;

WHEREAS, RBC Capital Markets, LLC is hereby selected as the Placement Agent for the Refunding Bonds; and

WHEREAS, the Refunding Bonds will be sold to an investor solicited by the Placement Agent at private sale pursuant to the Municipal and County Utilities Authorities Law, in particular N.J.S.A. 40:14B-27.

NOW THEREFORE, BE IT RESOLVED BY THE AUTHORITY AS FOLLOWS:

Section 1. The Chairman and Executive Director of the Authority are hereby authorized to sell and award the Refunding Bonds to an investor solicited by the Placement Agent at private sale.

Section 2. The details of the private sale of the Refunding Bonds shall be confirmed by a resolution of the Authority.

Section 3. All officers, representatives and agents of the Authority are hereby authorized and directed to execute and deliver any and all documents, instruments or certificates, and to do and cause to be done any and all acts and things deemed necessary, desirable or convenient by Bond Counsel to provide for the authorization, sale and delivery of the Refunding Bonds and all related transactions contemplated by this resolution.

Section 4. This resolution shall take effect immediately.

Recorded Vote:

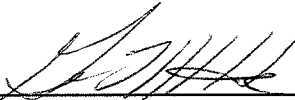
Board Members:	<u>Aye:</u>	<u>Nay:</u>	<u>Absent:</u>	<u>Abstain:</u>
Glenn Banfield			X	
Gary L. Hill	X			
Nynell Langford	X			
Dedar Mohammed	X			
John Devlin	X			
William K. Cheatham	X			
(Alternate # 1)				



Atlantic City Municipal Utilities Authority

RESOLUTION

The foregoing is a true copy of a resolution adopted by the governing body of The Atlantic City Municipal Utilities Authority on June 16, 2021.



Gary L. Hill
Secretary



Agenda No:
Resolution No: 81
Date: June 16, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, President Abraham Lincoln signed the Emancipation declaring “all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free.”; and

WHEREAS, President Lincoln’s Emancipation Proclamation, signed on September 22, 1862, became effective on January 1, 1863, thereby freeing slaves of this nation’s original sin of human bondage throughout much of the United States of America;

WHEREAS, Union General Gordon Granger was dispatched to Galveston, Texas to announce the surrender of Confederate General Robert E. Lee and on June 19, 1865 declared the freedom of slaves still held in human bondage in the State of Texas;

WHEREAS, Juneteenth, also known as Freedom Day, Jubilee Day, and Emancipation Day, is recognized by the State of New Jersey and Federal Government as an official state and federal holiday, respectively; and

WHEREAS, annual observance of Juneteenth would provide residents of Atlantic City and employees of the Atlantic City Municipal Utilities Authority (ACMUA) with an opportunity to reflect on the impact of slavery and remember those who enslaved here and their profound contributions to our community.

NOW THEREFORE BE IT RESOLVED, the ACMUA Board of Commissioners designates Juneteenth an official holiday; and

Approved this 17th day of June 2021

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Agenda No: 10 a (1)

Resolution No: 82

Date: June 16, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that a Request for Proposals (RFP) Form and the Specifications and Instructions to Bidders this day submitted by the Executive Director of the MUA for VENICE LAGOON WATER MAIN CROSSING 2021 for the MUA, be and the said documents are hereby APPROVED and ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and is hereby given to the Authority Executive Director to advertise for Request for Proposals (RFP) in the form of Advertisement for the undertaking hereinabove set forth, the said Request for Proposals (RFP) to be received and opened by authorized Personnel of the Atlantic City Municipal Utilities Authority on TUESDAY, JULY 13, 2021 at 11:00AM.

Upon Motion, This Resolution was APPROVED AS Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Agenda No: 11
Resolution No: 83
Date: June 16, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority has indebtedness to the following companies for services rendered;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the following bills are ACKNOWLEDGED and AUTHORIZED TO BE PAID in the amount of FIVE HUNDRED TWENTY FIVE THOUSAND, ONE HUNDRED SEVENTEEN DOLLARS AND NINETY CENTS. (\$525,117.90); and

BE IT FURTHER RESOLVED, that the Comptroller of the Atlantic City Municipal Utilities Authority hereby certifies as to the availability of funds.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Board of the Atlantic City Municipal Utilities Authority "ACMUA" has deemed it necessary to go into closed session to discuss certain matters which are exempt from the Public; and

WHEREAS, the regular meeting of this Board will reconvene at the conclusion of closed session.

NOW, THEREFORE, BE IT RESOLVED that the Board of DIRECTORS of the ACMUA, in the City of Atlantic City, County of Atlantic, and State of New Jersey will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

- Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion of public (Provision _____);
- Any matter in which the release of information would impair a right to receive funds from the federal government;
- Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;
- Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees for representatives of employees of the public body (Specify contract: negotiations with bargaining units);
- Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;
- Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;
- Any investigations of violations or possible violations of the law;
- Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.
- Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If contract negotiation the nature of the contract and interested party) (Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Authority's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);
- Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected in writing that such matter or matter be discussed at public meeting; Subject to the balancing of the public's interest and the employee's privacy right under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussion is _____;
- Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party of the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the DIRECTORS hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the ACMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the ACMUA to take the appropriate action to effectuate the terms of this resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (ACMUA) will go into Closed Session and will re-convene after closing

Upon Motion, This Resolution was APPROVED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

EMERGENCY PURCHASE OF GRANULAR ACTIVATED CARBON (GAC) FOR VESSELS

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Polyfluoroalkyl substances (PFAS) chemical compound has been detected in the water supply of Atlantic City. The State of New Jersey Department of Environmental Protection (“NJDEP”) established health based drinking water standards of Maximum Contaminant Levels (“MCL”) for two (2) chemical compounds in the PFAS family. Perfluorooctanoic acid (PFOA) at 14 parts per trillion (“ppt”) and perfluorooctane sulfonate (“PFOS”) at 13 ppt MCL. N.J.A.C. 7:10-5.2(a)(5)(ii)-(iii). These MCL limits are the most stringent in the United States;

WHEREAS, the Atlantic City Municipal Utilities Authority (“Authority”) has been charged with the responsibility of producing safe drinking water to its customers and is faced with an emergent matter. The testing of the Atlantic City water reveals that the water samples containing PFAS exceeded the State respective MCL;

WHEREAS, the Authority is desperately working to reduce the PFAS limits in the City water supply and if the requirements are not met in a timely manner, the impact on the health, safety and welfare of all city residents would be in jeopardy. It is imperative that the Authority works in an expedited manner to meet the state requirements and avoid irreparable harm to its citizens;

WHEREAS, the Authority Board of Directors approved Resolution No. 58 on Wednesday, May 19th, 2021 at a regular scheduled Board meeting declaring that emergent steps must be taken to eradicate PFAS from the water system;

WHEREAS, Granular Activated Carbon (GAC) is an efficient technology and the most common treatment method for long-chain PFAS removal. The benefits of GAC in an emergent scenario such as this, is its reliability and proven efficacy;

WHEREAS, GAC is being recommended as the preferred method of treatment for short-term solutions to address the current regulated PFAS compounds;

WHEREAS, the Authority needs to procure GAC/Filtrisorb 400 (F400) GAC for three (3) new sets of 12” diameter 40,000 pound granular activated carbon vessels the Authority expects to purchase in the near future on an emergent basis;

WHEREAS, the Authority is currently under contract with Calgon Carbon Corporation (Calgon) to supply GAC F400 for its existing water filtration system;

WHEREAS, Calgon has agreed to extend its current contract with the Authority in order to expedite supplying the additional GAC F400 needed for the new vessels;

WHEREAS, in order for the Authority to obtain the GAC F400 as soon as possible, it is necessary to extend the contract with Calgon;

WHEREAS, Calgon has offered to supply GAC F400 at a price of \$1.49 per pound which includes delivery and installation of GAC F400 into the new vessels;



Atlantic City Municipal Utilities Authority

RESOLUTION

WHEREAS, the Authority's consulting engineer, H2M, has recommended that the Authority purchase the GAC F400 on an emergent basis and the price of \$1.49 per pound is reasonable and competitive in the industry; and

WHEREAS, the cost for the delivery and installation of GAC F400 for each vessel will be FIFTY NINE THOUSAND SIX HUNDRED DOLLARS AND NO CENTS (\$59,600.00) and a total of THREE HUNDRED FIFTY SEVEN THOUSAND SIX HUNDRED DOLLARS AND NO CENTS (\$357,600.00) for six vessels, plus a 10% contingency allowance totaling FIFTY SEVEN THOUSAND SEVEN HUNDRED AND SIXTY DOLLARS AND NO CENTS (57,760.00) recommended by H2M to cover potential unknown variables during installation, startup and commissioning.

BE IT FURTHER RESOLVED, by the Board of Directors of the Authority that the authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest to a non-fair and non-open contract awarded to Calgon by extending the Authority's current contract with Calgon to be entered into between the Authority and Calgon, to furnish, deliver and install GAC F400 to the Authority's six (6) vessels in Egg Harbor Township, New Jersey, as aforesaid in strict accordance with the specification of the Authority with said contract to be approved as to form and execution by the Authority's Solicitor; and

BE IT FURTHER RESOLVED, that a certificate from the Assistant Director of Financing and Accounting of the Authority is attached to this Resolution showing the availability of funds from the 2021 ACMUA Operating Budget for Granular Activated Carbon (GAC) Account: (01-20-202-542-440), to satisfy the aforesaid emergency purchase of GAC F400 not to exceed the total cost of THREE HUNDRED NINETY THREE THOUSAND THREE HUNDRED AND SIXTY DOLLARS AND NO CENTS (\$393,360.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

EMERGENCY PURCHASE OF GRANULAR ACTIVATED CARBON (GAC) DUAL VESSELS ADSORPTION SYSTEM

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Polyfluoroalkyl substances (PFAS) chemical compound has been detected in the water supply of Atlantic City. The State of New Jersey Department of Environmental Protection (“NJDEP”) established health based drinking water standards of Maximum Contaminant Levels (“MCL”) for two (2) chemical compounds in the PFAS family. Perfluorooctanoic acid (PFOA) at 14 parts per trillion (“ppt”) and perfluorooctane sulfonate (“PFOS”) at 13 ppt MCL. N.J.A.C. 7:10-5.2(a)(5)(ii)-(iii). These MCL limits are the most stringent in the United States;

WHEREAS, the Atlantic City Municipal Utilities Authority (“Authority”) has been charged with the responsibility of producing safe drinking water to its customers and is faced with an emergent matter. The testing of the Atlantic City water reveals that the water samples containing PFAS exceeded the State respective MCL;

WHEREAS, the Authority is desperately working to reduce the PFAS limits in the City water supply and if the requirements are not met in a timely manner, the impact on the health, safety and welfare of all city residents would be in jeopardy. It is imperative that the Authority works in an expedited manner to meet the state requirements and avoid irreparable harm to its citizens;

WHEREAS, the Authority Board of Directors approved Resolution No. 58 on Wednesday, May 19th, 2021 at a regular scheduled Board meeting declaring that emergent steps must be taken to eradicate PFAS from the water system;

WHEREAS, Emergency contracting is necessary in order to provide treatment to filter PFAS contaminants from the Authority ground water system;

WHEREAS, the Authority’s consulting engineer, H2M, indicated in a letter dated June 14, 2021 that it is imperative that the Authority purchase three (3) new sets of 12’ diameter 40,000 pounds granular activated carbon dual vessel adsorption system as soon as reasonably possible;

WHEREAS, H2M prepared plans and specifications for procuring three (3) new sets of 12’ diameter 40,000 pounds granular activated carbon dual vessel adsorption system;

WHEREAS, H2M solicited pricing from three (3) qualified experienced vendors for the fabrication and delivery of three (3) pairs of GAC vessels and received two (2) responses (see attachment);

WHEREAS, the apparent lowest-cost price was received from TIGG LLC, Oakdale, PA, who is considered to be a responsible and competent manufacturer that has been engineering and designing standard and custom pressure vessels specifically designed to be used as activated carbon adsorbers and activated filters for over 40 years;

WHEREAS, TIGG LLC will supply and deliver the dual vessel GAC system as per the plans specifications written by H2M; and



Atlantic City Municipal Utilities Authority

RESOLUTION

WHEREAS, the cost to supply, deliver, train and provide start-up assistance with the GAC vessels will be ONE MILLION TWO HUNDRED TWENTY FIVE THOUSAND SIX HUNDRED EIGHTY THREE DOLLARS AND NO CENTS (\$1,225,683.00).

WHEREAS, H2M recommended in its letter dated June 14, 2021 that the Authority award a contract to TIGG LLC for ONE MILLION, TWO HUNDRED TWENTY FIVE THOUSAND, SIX HUNDRED EIGHTY-THREE DOLLARS AND NO CENTS (\$1,225,683.00) plus a 10% contingency allowance totaling ONE HUNDRED AND TWENTY TWO THOUSAND FIVE HUNDRED AND SIXTY EIGHT DOLLARS AND ZERO CENTS (\$122,568.00).

BE IT FURTHER RESOLVED, by the Board of Directors of the Authority that the authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest to a non-fair and non-open contract awarded to TIGG LLC to be entered into between the Authority and TIGG LLC, to furnish, deliver six (6) vessels in Egg Harbor Township, New Jersey, as aforesaid in strict accordance with the specification of the Authority's engineer H2M with said contract to be approved as to form and execution by the Authority's Solicitor; and

BE IT FURTHER RESOLVED, that a certificate from the Assistant Director of Financing and Accounting of the Authority is attached to this Resolution showing the availability of funds from the 2021 ACMUA Capital Budget for upgrade to Water Treatment Plant Account: 04-20-330-850-935, to satisfy the aforesaid emergency purchase of GAC vessels not to exceed the total cost of ONE MILLION THREE HUNDRED FORTY EIGHT THOUSAND TWO HUNDRED FIFTY ONE DOLLARS AND NO CENTS (\$1,348,251.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ.



GARY L. HILL, VICE CHAIRMAN/SECRETARY